

## Federal Communications Commission

## § 13.7

“Closed Circuit Test Termination Message”. Record the time of receipt as indicated above.

(f) The FCC may request a CCT report in a prescribed format.

### PART 13—COMMERCIAL RADIO OPERATORS

#### GENERAL

- 13.1 Basis and purpose.
- 13.3 Definitions.
- 13.5 Licensed commercial radio operator required.
- 13.7 Classification of operator licenses and endorsements.
- 13.9 Eligibility and application for new license or endorsement.
- 13.11 Holding more than one commercial radio operator license.
- 13.13 Application for a renewed or modified license.
- 13.15 License term.
- 13.17 Replacement license.
- 13.19 Operator's responsibility.

#### EXAMINATION SYSTEM

- 13.201 Qualifying for a commercial operator license or endorsement.
- 13.203 Examination elements.
- 13.207 Preparing an examination.
- 13.209 Examination procedures.
- 13.211 Commercial radio operator license examination.
- 13.213 COLEM qualifications.
- 13.215 Question pools.
- 13.217 Records.

AUTHORITY: Secs. 4, 303, 48 Stat. 1066, 1082 as amended; 47 U.S.C. 154, 303.

SOURCE: 58 FR 9124, Feb. 19, 1993, unless otherwise noted.

#### § 13.1 Basis and purpose.

(a) *Basis*. The basis for the rules contained in this part is the Communications Act of 1934, as amended, and applicable treaties and agreements to which the United States is a party.

(b) *Purpose*. The purpose of the rules in this part is to prescribe the manner and conditions under which commercial radio operators are licensed by the Commission.

#### § 13.3 Definitions.

The definitions of terms used in part 13 are:

(a) *COLEM*. Commercial operator license examination manager.

(b) *Commercial radio operator*. A person holding a license or licenses specified in § 13.7(b).

(c) *GMDSS*. Global Maritime Distress and Safety System.

(d) *FCC*. Federal Communications Commission.

(e) *International Morse Code*. A dot-dash code as defined in International Telegraph and Telephone Consultative Committee (CCITT) Recommendation F.1 (1984), Division B, I. Morse code.

(f) *ITU*. International Telecommunication Union.

(g) *PPC*. Proof-of-Passing Certificate.

(h) *Question pool*. All current examination questions for a designated written examination element.

(i) *Question set*. A series of examination questions on a given examination selected from the current question pool.

(j) *Radio Regulations*. The latest ITU *Radio Regulations* to which the United States is a party.

#### § 13.5 Licensed commercial radio operator required.

Rules that require FCC station licensees to have certain transmitter operating, maintenance, and repair duties performed by a commercial radio operator are contained in parts 23, 73, 74, 80, and 87 of this chapter.

#### § 13.7 Classification of operator licenses and endorsements.

(a) Commercial radio operator licenses issued by the FCC are classified in accordance with the Radio Regulations of the ITU.

(b) There are nine types of commercial radio operator licenses, certificates and permits (licenses). The license's ITU classification, if different from its name, is given in parenthesis.

(1) First Class Radiotelegraph Operator's Certificate.

(2) Second Class Radiotelegraph Operator's Certificate.

(3) Third Class Radiotelegraph Operator's Certificate (radiotelegraph operator's special certificate).

(4) General Radiotelephone Operator License (radiotelephone operator's general certificate).

(5) Marine Radio Operator Permit (radiotelephone operator's restricted certificate).

(6) Restricted Radiotelephone Operator Permit (radiotelephone operator's restricted certificate).

(7) Restricted Radiotelephone Operator Permit-Limited Use (radiotelephone operator's restricted certificate).

(8) GMDSS Radio Operator's License (general operator's certificate).

(9) GMDSS Radio Maintainer's License (technical portion of the first-class radio electronic certificate).

(c) There are six license endorsements affixed by the FCC to provide special authorizations or restrictions. Endorsements may be affixed to the license(s) indicated in parenthesis.

(1) Ship Radar Endorsement (First and Second Class Radiotelegraph Operator's Certificates, General Radiotelephone Operator License, GMDSS Radio Maintainer's License).

(2) Six Months Service Endorsement (First and Second Class Radiotelegraph Operator's License).

(3) Restrictive endorsements relating to physical handicaps, English language or literacy waivers, or other matters (all licenses).

(4) Marine Radio Operator Permits shall bear the following endorsement: This permit does not authorize the operation of AM, FM or TV broadcast stations.

(5) General Radiotelephone Operator Licenses issued after December 31, 1985, shall bear the following endorsement: This license confers authority to operate licensed radio stations in the Aviation, Marine and International Fixed Public Radio Services only. This authority is subject to: any endorsement placed upon this license; FCC orders, rules, and regulations; United States statutes; and the provisions of any treaties to which the United States is a party. This license does not confer any authority to operate broadcast stations. It is not assignable or transferable.

(6)(i) If a person is afflicted with an uncorrected physical handicap which would clearly prevent the performance of all or any part of the duties of a radio operator, under the license for which application is made, at a station under emergency conditions involving the safety of life or property, that person still may be issued the license if

found qualified. Such a license shall bear a restrictive endorsement as follows:

This license is not valid for the performance of any operating duties, other than installation, service and maintenance duties, at any station licensed by the FCC which is required, directly or indirectly, by any treaty, statute or rule or regulation pursuant to statute, to be provided for safety purposes.

(ii) In the case of a license that does not require an examination in technical radio matters, the endorsement specified in paragraph (c)(6)(i) of this section will be modified by deleting the reference therein to installation, service, and maintenance duties.

(iii) In any case where an applicant who normally would receive or has received a commercial radio operator license bearing the endorsement prescribed by paragraph (c)(6)(i) of this section, indicates a desire to operate a station falling within the prohibited terms of the endorsement, the applicant may request in writing that such endorsement not be placed upon, or be removed from his or her license, and may submit written comments or statements from other parties in support thereof.

(iv) An applicant who shows that he has performed satisfactorily the duties of a radio operator at a station required to be provided for safety purposes during a period when he or she was afflicted by uncorrected physical handicaps of the same kind and to the same degree as the physical handicaps shown by his or her current application shall not be deemed to be within the provisions of paragraph (c)(6)(i) of this section.

(d) A Restricted Radiotelephone Operator Permit-Limited Use issued by the FCC to an aircraft pilot who is not legally eligible for employment in the United States is valid only for operating radio stations on aircraft.

(e) A Restricted Radiotelephone Operator Permit-Limited Use issued by the FCC to a person under the provision of Section 303(1)(2) of the Communications Act of 1934, as amended, is valid only for the operation of radio

stations for which that person is the station licensee.

[58 FR 9124, Feb. 19, 1993; 58 FR 12632, Mar. 5, 1993]

**§ 13.9 Eligibility and application for new license or endorsement.**

(a) If found qualified, the following persons are eligible to apply for commercial radio operator licenses:

(1) Any person legally eligible for employment in the United States.

(2) Any person, for the purpose of operating aircraft radio stations, who holds:

- (i) United States pilot certificates; or
- (ii) Foreign aircraft pilot certificates which are valid in the United States, if the foreign government involved has entered into a reciprocal agreement under which such foreign government does not impose any similar requirement relating to eligibility for employment upon United States citizens.

(3) Any person who holds a FCC radio station license, for the purpose of operating that station.

(4) Notwithstanding any other provisions of the FCC's rules, no person shall be eligible to be issued a commercial radio operator license when

- (i) The person's commercial radio operator license is suspended, or
- (ii) The person's commercial radio operator license is the subject of an ongoing suspension proceeding, or
- (iii) The person is afflicted with complete deafness or complete muteness or complete inability for any other reason to transmit correctly and to receive correctly by telephone spoken messages in English.

(b)(1) Each application for a new General Radiotelephone Operator License, Marine Radio Operator Permit, First Class Radiotelegraph Operator's Certificate, Second Class Radiotelegraph Operator's Certificate, Third Class Radiotelegraph Operator's Certificate, Ship Radar Endorsement, Six Months Service Endorsement, GMDSS Radio Operator's License or GMDSS Radio Maintainer's License must be made on FCC Form 756.

(2) Each application for a Restricted Radiotelephone Operator Permit must be made on FCC Form 753.

(3) Each application for a Restricted Radiotelephone Operator Permit-Lim-

ited Use must be made on FCC Form 755.

(c) Each application for a new General Radiotelephone Operator License, Marine Radio Operator Permit, First Class Radiotelegraph Operator's Certificate, Second Class Radiotelegraph Operator's Certificate, Third Class Radiotelegraph Operator's Certificate, Ship Radar Endorsement, GMDSS Radio Operator's License or GMDSS Radio Maintainer's License must be accompanied by the required fee, if any, and submitted to the address specified in part 1 of the rules. The application must include:

(1) An original PPC(s) from a COLEM(s) showing that the applicant has passed the necessary examination element(s) within the previous 365 days, and

(2) A copy of the applicable license(s) when the applicant claims credit for an examination element. The FCC will give credit only as specified below to an applicant holding any of the following documents:

(i) An unexpired (or within the grace period) FCC-issued commercial radio operator license: The written examination and telegraphy Element(s) required to obtain the license held.

(ii) An unexpired (or within the grace period) FCC-issued Amateur Extra Class operator license: Telegraphy Elements 1 and 2.

(d) Provided that a person's commercial radio operator license was not revoked, or suspended, and is not the subject of an ongoing suspension proceeding, a person whose application for a commercial radio operator license has been received by the FCC but which has not yet been acted upon and who holds a PPC(s) indicating that he or she passed the necessary examination(s) within the previous 365 days, is authorized to exercise the rights and privileges of the operator license for which the application was received. This authority is valid for a period of 90 days from the date the application was received. The FCC, in its discretion, may cancel this temporary conditional operating authority without a hearing.

(e) Each application for a new Six Months Service Endorsement must be submitted to the address specified in